IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

WP(C).No. 11692 of 2007(P)

PETITIONERS:
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1. **REVI KIRON K.P, ASSISTANT,K.P.S.C PATTOM MAIN OFFICE,PATTOM,THIRUVANANTHAPURAM-4.**
2. **SATHOSH.A.J, ASSISTANT,K.P.S.C PATTOM MAIN OFFICE,PATTOM,THIRUVANANTHAPURAM-4.**
3. **BALAKRISHNAN .N, ASSISTANT (SENIOR GRADE), K.P.S.C PATTOM MAIN OFFICE,PATTOM,THIRUVANANTHAPURAM-4.**

BY ADV. SRI.VELLAYANI ROBINSON.

RESPONDENTS:
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1. **STATE OF KERALA REPRESENTED BY SECRETARY TO GOVERNMENT,DEPARTMENT OF GENERAL ADMINISTRARION (SERVICES-A),SECRETARIAT,THIRUVANANTHAPURAM.**
2. **KERALA PUBLIC SERVICE COMMISSION, REPRESENTED BY ITS SECRETARY,PATTOM,THIRUVANANTHAPURAM.**

BY GOVT. PLEADER SRI. BIJOY CHANDRAN,
ADV. SRI. P.C. SASIDHARAN, SC, PSC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/05/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 11692 OF 2007-P

JUDGMENT

The petitioners are employees of the Public Service Commission. They say, they are governed by the Special Rules applicable to Secretariat employees, as they are adopted by the Governor as Regulations under Article 318 of the Constitution of India. Recently, the Government have issued Ext.P1 order, amending the provision regarding appointment by transfer as Section Officer and Assistant in the Secretariat. Based on that, certain promotions were also made, as evident from Ext.P2 order. This writ petition is filed, challenging Ext.P1 Government order. The petitioner submits, earlier a minimum period of 10 years was prescribed for conversion of a Typist or Confidential Assistant as Assistant Grade I. Now, with effect from 25.3.2006, the posts of Assistant Grade I and Assistant Grade II have merged into the post of Assistant. Accordingly, the length of service required for conversion has been drastically reduced to 6 years. The petitioners apprehend that Ext.P1 will be adopted by the Governor for the P.S.C also. If that be so, their promotion prospectus will be affected. Hence this writ petition, challenging Ext.P1.

2. I heard the learned standing counsel for the P.S.C also. He submitted that so far the Governor has not passed any order adopting Ext.P1 and thereby amending the existing Rules applicable to the employees of the P.S.C. The result is that the challenge to Ext.P1 is premature. So, at present, the petitioners have no locus standi to challenge Ext.P1. Accordingly, the writ petition is closed as premature.

28th May, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/